

PLANNING APPLICATIONS COMMITTEE 29th April 2021

| | | |
|---------------------|---|--|
| UPRN | APPLICATION NO. 20/P1722 | Item No: DATE VALID 02.07.2020 |
| Address/Site | Garages R/O 38 Inglemere Road, Mitcham, CR4 2BT | |
| (Ward) | Graveney | |
| Proposal: | DEMOLITION OF GARAGES AND ERECTION OF 7 x SELF-CONTAINED FLATS WITH ASSOCIATED PARKING AND LANDSCAPING. | |
| Drawing Nos; | Site location plan and drawings 20-507PR 01A, 20-507PR 02D, 20-507PR 03E, 20-507PR 04F, 20-507PR 05E & 20-507PR 06F and BS 5837 Arboricultural Report, impact assessment & Arboricultural Method Statement' dated 24th April 2020 compiled by Crown Tree Consultancy; | |

Contact Officer: Leigh Harrington (020 8545 3836)

RECOMMENDATION

Grant planning permission subject to relevant conditions and a s106 agreement for a permit free development.

CHECKLIST INFORMATION.

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No,
- Number of neighbours consulted: 47
- Press notice – No
- Site notice – Yes
- External consultations: 1- Metropolitan Police Safer by Design
- Archaeological Priority Zone – No
- Flood risk zone - No
- Controlled Parking Zone – Yes, Zone GC
- Number of jobs created: N/A
- Density 60 Dwellings per hectare
- PTAL 3

1 INTRODUCTION

- 1.1 The application has been brought before the Committee due to the level of public interest.

2. SITE AND SURROUNDINGS

- 2.1 The site is an irregularly shaped 785m² plot of land used for 22 residential scale garages that is accessed via an access point between two short terraces of houses on Inglemere Road. The site backs onto rear gardens of properties along Inglemere Road, Bruce Road and Gorringe Park Avenue with the garden to the west of the site being quite heavily wooded.
- 2.2 The site does not fall within a Conservation Area, Archaeological Priority Zone or in an area at risk of flooding. It is located within a Controlled Parking Zone (GC). The site has an average Public Transport Accessibility Level (PTAL) rating of 3 although it is within relatively close walking distance of Tooting Train station.
- 2.3 A nearby larger scheme (LBM ref 17/P1601) for a similar redevelopment of a garage site for residential purposes was approved by the Planning Applications Committee and has been constructed. The Planning Applications also granted planning permission on the application site for the demolition of garages and erection of 4 x 3 bedroom dwelling houses with associated parking and landscaping (LBM Ref 19/P0498).

3. CURRENT PROPOSAL

- 3.1 This application involves demolishing the existing garages and the erection of a development of seven flats arranged around a courtyard type area with car parking and landscaping. The flats would be located within a building of a similar shape, size and footprint as was approved for the development of the houses (LBM Ref 19/P0498)
- 3.2 The proposal would provide the following accommodation; 2 x 1 Bedroom 2 Person, 1 x 2 Bedroom 3 Person and 4 x 2 Bedroom 4 Person units. Along the south east side of the site, backing onto the rear gardens of houses in Bruce Road the block would retain the same flat roofed arrangement as was previously approved. The flat roofed element would also follow around the southern side of the site.
- 3.3 Although the footprint at ground floor level is around 1m longer than on the previous approval, for the first floor element the footprint of this level retains the same position as previously approved for the houses. At first floor level there would be an enclosed amenity terrace on each of the two side elevations. A green roof is proposed.
- 3.4 Two parking spaces, reduced from 4 on the previous scheme, would be provided to the front of the site along with secure cycle storage nearest the flats and refuse stores along the accessway.

3.5 The building would be finished in exposed brickwork with the floors delineated by a reconstituted stone band course. The fenestration would be framed in grey aluminium which would match the roof capping and timber screens. Brick faced privacy panels would be utilised on some of the upper floor fenestration.

4. RELEVANT PLANNING HISTORY

Pre application advice application for this development.

19/P0498 Planning permission granted by PAC subject to conditions and a s106 agreement (permit free) for DEMOLITION OF GARAGES AND ERECTION OF 4 X 3 BED DWELLINGHOUSES WITH ASSOCIATED PARKING AND LANDSCAPING.

5. CONSULTATION

5.1 The application was advertised by means of a site notice and letters to neighbouring occupiers. The revised drawings were further reconsulted upon. In total objections were received from 5 neighbours which raised concerns relating to;

- Concerned about noise, dust and disturbance during construction.
- Noise and disturbance will be significant for those working from home.
- Negative impact on operation of neighbours gardens.
- Significant loss of privacy, they acknowledge this through the need for privacy screens. Terrace screening is not enough.
- Two storey building will limit sunlight to nearby houses.
- This is an eyesore of no benefit to neighbours
- Design is completely against local design guidance and detailing and shape of the building will not fit into the surrounding area, especially the flat roof.
- Lack of detail about what will happened when the boundary walls are removed. They should be replaced with brick walls and not fences.
- No affordable housing provision

5.2 LBM Environmental Health

No objection subject to a number of conditions relating to land contamination, lighting, noise form mobile machinery and a Demolition and Construction Method Statement.

5.3 LBM Waste Services.

Required the collection point for refuse to be within 10m of the pavement as the site is too confined for a 26 tonne refuse truck to service. No objection subject to standard refuse conditions.

5.4 LBM Arboricultural Officer.

No objections to the proposals subject to suitable conditions relating to tree protection and site supervision.

5.5 LBM Transport Planning

One of the two parking bays should be for disabled use and that a permit free option would be acceptable either via as106 or a Unilateral Undertaking. No objection raised subject to conditions relating to the disabled bay, provision of 12 secure cycle spaces, permit free legal undertaking, refuse storage and a demolition and construction logistics plan condition being imposed.

5.6 LBM Flood Risk Engineer

The details submitted for this application in terms of flood risk and drainage, including the RPS Surface Water Drainage Assessment (Dated Jan 2019) have been reviewed. The scheme appears to be acceptable in flood risk terms as the site is at very low risk of surface water flooding and is not in a fluvial floodzone. Offsite surface water flows will be reduced via attenuation to greenfield rates, to no more than 0.7l/s which is in accordance with the London Plan 5.13, Merton's policy DM F2 and Merton's SuDS design and evaluation guide. External levels should be profiled away from the development and towards the nearest drainage point. A condition requiring a detailed scheme for the provision of surface and foul water drainage, including levels was requested.

6 POLICY CONTEXT

6.1 NPPF (2019). Key sections:

- 5. Delivering a sufficient supply of homes.
- 12. Achieving well-designed places.

6.2 London Plan 2021;

- H1 (Increasing housing supply),
- H2 (Small sites),
- D1 London's form, character and capacity for growth,
- D3 (Optimising site capacity through a design lead approach),
- D5 (Inclusive design),
- D6 (Housing Quality and standards),
- D11 (Safety & Security),
- G7 (Trees and woodlands),
- GG2 (Making the best use of land),
- GG4 (Delivering Homes Londoners need),
- GG6 (Increasing efficiency and resilience),
- SI 2 (Minimising greenhouse gas emissions),
- SI.13 (Sustainable drainage),
- T2 (Healthy streets),
- T5 (Cycling),
- T6.1 (Residential Parking),

6.3 London Housing Supplementary Planning Guidance 2016

6.4 DCLG Technical Standards 2015

6.5 Merton Core Strategy 2011

CS 9 (Housing targets),
CS 13 (Open Space, Nature conservation),
CS 14 (Design), CS 15 (Climate change),
CS 18 (Transport)
CS 20 (Parking, Servicing & delivery).

6.6 Merton Sites and Policies Plan 2014

DM D1 (Urban Design and the public realm),
DM D2 (Design considerations in all developments),
DM EP 2 (Reducing and mitigating noise),
DM EP4 (Pollutants),
DM H2 (Housing mix),
DM F2 (SUDS),
DM 02 (Trees, hedges and landscape features),
DM T2 (Transport impacts of development)
DM T3 (Car parking and servicing standards).

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations in this case relate to the principle of the use of the site for the provision of flatted dwellings and the impact on local residents and the wider area.

7.2 Need for and principle of additional housing

The Planning Applications Committee has previously approved the site for residential use for 4 x 3 bedroom houses i.e a total of 12 bedrooms, the proposal will also provide 12 bedrooms albeit in seven units. Since that consent was granted the GLA target for housing in the Borough has more than doubled and in the absence of any policy change to the contrary, redevelopment for residential use is still considered acceptable.

7.3 Design/Bulk and massing/Appearance/Layout.

The design of new buildings would ensure appropriate scale, density and appearance, respecting, complementing and responding to local characteristics (London Plan 2021 policy D3, LDF policy CS.14 and SPP policy DM D2).

7.4 Bulk and massing.

The proposals will use almost the same first floor outline as the consented scheme for houses which is still considered to have been designed to minimise the impact of the bulk and massing with the single storey elements being the units closest to neighbouring residents whilst the higher two storey

units are set back from boundaries by the rear gardens and with considerable space to the west and the use of flat roofs is considered to further assist in reducing bulk and massing .The layout of the site is such that there will be very limited views of the development from the street.

7.5 Design- Appearance and layout.

The proposals have drawn criticism from neighbours in relation to the design being out of keeping with the area. Notwithstanding that the site is not readily visible from the street, as with the approved scheme the flat roof design with the use of exposed brickwork and grey fenestration is considered in keeping with the London Vernacular and allows the units to occupy the site with less visual intrusion and loss of light than would be the case with a reproduction of the surrounding housing style and size.

7.6 Internally the units largely follow the preferred methodology of providing regularly shaped rooms that are considered to have been well laid out with the drawings demonstrating that they will provide a high quality layout and living space for future occupiers. Where there are angles the rooms are above minimum standard to compensate for the impact on layout.

7.7 Neighbour Amenity.

London Plan 2021 Policy D3 and SPP policy DM D2 relate to the possible impacts such as loss of light, privacy, overshadowing and visual intrusion on neighbour amenity and the need for people to feel comfortable with their surroundings.

7.8 Objections were received in relation to privacy of neighbours. The upper floors are between 14 and 15m from the closest habitable rooms to the north and south, there being no windows in the east and west elevations. Following extensive discussions with officers the design of the upper floor windows and the methods for the privacy screening and angling of windows have been amended. These amendments are considered to adequately ensure the privacy of neighbouring occupiers whilst still providing outlook for future occupiers.

7.9 Objections were received raising concerns that the proposals would result in a loss of light to neighbouring properties. Again the design and layout is such that the structure closest to neighbours is the single storey flat roof elements which has the same height of 3m that was previously approved, 1m higher than a standard fence and a height considered acceptable for permitted development extensions and set against the back of the neighbouring gardens as is the case with the existing garages which are of a slightly greater height. The two storey element is located to the centre of the site.

7.10 The applicants have submitted a Daylight and Sunlight report which analyses the impact of the proposals on neighbouring properties. The report finds that the proposals are not considered to have any notable impact on either daylight or sunlight access windows or amenity spaces of surrounding developments.

7.11 To protect neighbour amenity a condition requiring the obscure glazing and privacy screens shown on the drawings be installed prior to occupation and that there be no use of the flat roof area.

7.12 Standard of accommodation and the amenity of future occupiers.

SPP Policy DM D2 (Design of new developments), Core Strategy 2011 policies CS 9 (Housing Provision) and CS 14 (Design) and London Plan 2021 policies D3 (Optimising site capacity through a design lead approach), D6 (Housing Quality and standards), H1 (Increasing housing supply) & H2 (Small sites) are all policies that seek to provide additional good quality residential accommodation.

7.13 Schedule of accommodation

| Unit | Type | Proposed GIA | Minimum req'd GIA | Proposed Amenity | Min Req'd amenity |
|------|------|--------------------|-------------------|--------------------|-------------------|
| 1 | 2B3P | 61.6m ² | 61m ² | 28.7m ² | 6m ² |
| 2 | 1B2P | 51.7m ² | 50m ² | 26.3m ² | 5m ² |
| 3 | 2B4P | 70.8m ² | 70m ² | 40.4m ² | 7m ² |
| 4 | 2B4P | 70.3m ² | 70m ² | 49.2m ² | 7m ² |
| 5 | 1B2P | 50.7m ² | 50m ² | 17m ² | 5m ² |
| 6 | 2B4P | 71.7m ² | 70m ² | 7.5m ² | 7m ² |
| 7 | 2B4P | 76.1m ² | 70m ² | 7m ² | 7m ² |

7.14 The table demonstrates that all the units exceed the minimum internal space GIA requirements. Flats 1 to 6 exceed the minimum external amenity space standards whilst Flat 7 meets that minimum requirement.

7.15 Parking, servicing and deliveries.

Core Strategy Policy CS 20 requires proposals to have regard to pedestrian movement, safety, serving and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection.

7.16 London Plan 2021 Policy T5 and Core Strategy policy CS18 set minimum requirements for secure cycle storage. Cycle storage provision is considered acceptable as are the refuse facilities although precise details are not shown and therefore conditions requiring details to be approved are recommended.

7.17 London Plan 2021 Policy T6.1 and SPP policies DM T2 and DM T3 address the impact of parking and transport on developments. There is no set minimum for parking for a development of this size and there is less on-site parking than was provided for on the previous approval for housing. However as the site is located within a CPZ a section 106 agreement can be utilised to make the development permit free. Swept path analysis shows that the two car parking spaces can operate on site. One disabled space would be provided.

7.18 Trees.

London Plan 2021 Policy G7, Core strategy Policy CS 13 and SPP policy DM O1 seek to protect and enhance trees and biodiversity. There are no trees on the existing site, the main concentration being off site to the west. The Council's arboricultural officer has considered that subject to the imposition of suitable conditions relating to tree protection and site supervision there would be no harm to trees in the vicinity.

7.19 Flood risk and drainage.

London Plan 2021 policy SI.13 and SPP policy DM F2 seek to ensure that suitable and sustainable urban drainage schemes reduce the risk of flooding. The proposals are on a site that is not at risk for flooding and the accompanying surface water drainage assessment has been assessed by the Council's Flood Risk management engineer and found to be acceptable. A condition requiring the parking hardstanding to be permeable is also recommended

7.20 Other matters;

Neighbour concerns relating to noise dust and disturbance during construction can be mitigated through the imposition of a condition requiring a Demolition and Construction Method Statement to be approved. Noise and disturbance from residential use would not be considered a matter that would warrant a refusal of consent and has not been a matter supported by Inspectors. Concerns were raised in relation to in relation to the replacement boundary walls. The applicant has confirmed and indicated on amended drawings that the site will continue to be bordered by brick walling rather than close boarded fencing, retaining the existing walls wherever possible whilst a party wall agreement will address details in relation to site access, reinstating gardens etc. With only seven units the proposal is below the threshold for providing affordable housing, either on site or via an off-site contribution but would be liable to a CIL payment.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS.

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

8.2 In order to ensure that the development is policy compliant a condition to that effect requiring CO2 reductions of not less than a 19% improvement on Part L

regulations 2013, and internal water usage rates of not more than 105 litres per person per day is recommended.

9. CONCLUSION

- 9.1 The site is currently an underused garage area and the Planning Applications Committee have relatively recently considered a residential use for the site to be acceptable. This proposal will now provide seven flats with 12 bedrooms within a similarly sized and located shell of the previously approved building that was due to provide 4 house and 12 bedrooms. The structure that has been designed to mitigate its potential impact in terms of bulk, scale, massing and design the amenity of neighbouring occupiers and the character and appearance of its wider setting and is very similar to the bulk scale and massing of the previously approved development.
- 9.2 Subject to the imposition of suitable planning conditions and a S106 undertaking/agreement making the scheme ineligible for parking permits, the proposal is considered to be acceptable and in compliance with relevant planning policy and is therefore recommended for approval.

RECOMMENDATION

GRANT PERMISSION SUBJECT TO CONDITIONS and s106

S106 Heads of terms

- i) Permit free development
- ii) Applicant to meet the council's reasonable costs for drafting the agreement and the monitoring fee.

Conditions

- 1 A.1 Commencement of development
- 2 A.7 In accordance with plans; Site location plan and drawings 20-507PR 01A, 20-507PR 02D, 20-507PR 03E, 20-507PR 04F, 20-507PR 05E & 20-507PR 06F and BS 5837 Arboricultural Report, impact assessment & Arboricultural Method Statement' dated 24th April 2020 compiled by Crown Tree Consultancy;
- 3 B3 External materials as specified.
- 4 B5 Boundary treatments to be approved.
- 5 D11 Construction Times No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

6. H9 Construction Vehicles The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles, loading /unloading and storage arrangements of construction plant and materials during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.
7. No development shall commence until a detailed site investigation has been completed to survey and assess the extent of potential ground contamination on the site and from the surrounding environment (including any controlled waters), considering historic land use data and the proposed end use with the site investigation report (detailing all investigative works and sampling, together with the results of analysis, risk assessment to any receptors and proposed remediation strategy detailing proposals for remediation), submitted to and approved by the Local Planning Authority and the residential units hereby approved shall not be occupied until the approved remediation measures/treatments have been implemented in full.
8. No residential unit hereby approved shall be occupied until a validation report has been submitted to and approved in writing by the Local Planning Authority to demonstrate that remediation works have been carried out in accordance with the agreed remediation strategy. The validation report shall provide a full record of all remediation activities carried out on the site including post remedial sampling and analysis, waste management documentation and evidence that the agreed site remediation criteria have been met (including waste materials removed from the site; an audit trail demonstrating that all imported or reused soil material conforms to current soil quality requirements as approved by the Council) and any post-remediation sampling that has been carried out.
9. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.
10. All Non-road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any subsequent amendment or guidance, shall comply with the emission requirements therein.

11. No development, including demolition, shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.
The Statement shall provide for:
- hours of operation
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - The erection and maintenance of security hoarding including decorative
 - displays and facilities for public viewing, where appropriate
 - wheel washing facilities
 - measures to control the emission of noise and vibration during construction.
 - measures to control the emission of dust and dirt during construction/demolition
 - a scheme for recycling/disposing of waste resulting from demolition and construction works
- Reason: To protect the amenities of future occupiers and those in the local vicinity.
12. C6 Refuse and recycling; No flat hereby approved shall be occupied until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.
13. External lighting; Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.
14. H6 Cycle storage; No development above ground level shall commence until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.
15. Non standard Condition: No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage, including levels, has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) at the agreed runoff rate (no more than 0.7l/s), in accordance with drainage hierarchy contained within the London Plan Policy (SI 13 and SPG) and the advice contained within the National SuDS Standards.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI 13.

16. F5 Tree protection in accordance with BS 5837 Arboricultural Report, impact assessment & Arboricultural Method Statement' dated 20th April 2020 compiled by Crown Tree Consultancy;
17. F8 Site supervision (trees)
18. C3 Obscure glazing and privacy screens to be in place prior to occupation.
19. C8 No use of flat roof
20. Non standard condition; 'No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water usage rates of not more than 105 litres per person per day.' Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI 2 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011
21. F9 hardstandings

Informatives:

Carbon emissions evidence requirements for Post Construction stage assessments must provide:

- Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); **OR**, where applicable:
- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; **AND**
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation

Water efficiency evidence requirements for post construction stage assessments must provide:

- Documentary evidence representing the dwellings 'As Built'; detailing:

- the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
- the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; AND:
- Water Efficiency Calculator for New Dwellings; OR
- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

Informative:

No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

The applicant is advised to check the requirements of the Party Wall Act 1996 relating to work on an existing wall shared with another property, building on the boundary with a neighbouring property, or excavating near a neighbouring building. Further information is available at the following link: <http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

NPPF informative.

This page is intentionally left blank